

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CHEVRON INTELLECTUAL)	
PROPERTY LLC)	Case No. 2:11-cv-00776
a Delaware Corporation,)	
)	Judge Edmund A. Sargus
and)	
)	
CHEVRON ORONITE)	
COMPANY LLC)	
a Delaware Corporation,)	
)	
Plaintiffs,)	
)	
v.)	
)	
GREGORY PLANCK,)	
d/b/a C-Maxx Oil, Inc.)	
an individual,)	
)	
and)	
)	
JEFFREY TROTH,)	
d/b/a C-Maxx Oil, Inc.)	
an individual,)	
)	
Defendants.)	

ORDER OF INJUNCTION AND CONSENT DECREE

Plaintiffs, Chevron Intellectual Property LLC and Chevron Oronite Company LLC (collectively “Chevron”) and Defendant Gregory Planck (“Planck”) have agreed to settle and resolve all disputes between them on the terms set forth below for purposes of terminating all existing claims against Planck in this litigation. Chevron and Planck consent to entry of judgment in accordance with the following order and decree.

1. Recitals

1.1 Chevron is the owner of United States Trademark Registration Nos. 766,960; 3,450,910; 558,208; 685,762; 1,325,221; 1,299,174; and 2,991,889 (collectively, the “Chevron Trademarks”).

1.2 There is pending in the United States District Court for the Southern District of Ohio Civil Case No. 2:11-cv-00776 (the “Litigation”), wherein Chevron has sued Planck for federal unfair competition, federal trademark infringement, federal false advertising, federal trademark dilution, common law unfair competition/trademark infringement, and deceptive trade practices.

1.3 It is the desire of Chevron and Planck to settle the claims against Planck asserted in the Litigation.

2. Injunctive Relief

2.1 Planck, his agents, employees, representatives, successors and assigns, and all those acting on his behalf shall be and hereby are immediately PERMANENTLY ENJOINED and restrained from:

- a) Using any reproduction or colorable imitation of the famous Chevron Trademarks, or any mark confusingly similar thereto;

- b) Holding out the additives offered for sale by Planck and/or C-Maxx Oil, Inc. as “Chevron Oronite” additives;
- c) Claiming access to Chevron’s proprietary information;
- d) Using any materials which, in any way, suggest or tend to suggest to the public that Planck is, in any manner, directly or indirectly affiliated, connected or associated with Chevron or that Planck’s services, goods or commercial activities originate from or are sponsored or approved by Chevron; and
- e) Engaging in any conduct that suggests or tends to suggest to the public that Planck is, in any manner, directly or indirectly affiliated, connected or associated with Chevron or that Planck’s services, goods or commercial activities originate from or are sponsored or approved by Chevron.

2.2 Planck is required to return to Chevron within ten (10) days of the date of entry of the Consent Decree any material in his possession bearing a reproduction or colorable imitation of the Chevron Trademarks, including, without limitation, offering circulars, corporate documents, magazines, newsletters, signs, brochures, packages, wrappers, advertisements, labels, flyers, specification sheets, material safety data sheets, internet web sites, or any other material capable of written reproduction.

3. Release and Dismissal of the Claims Against Planck in the Litigation

3.1 As of the date of entry of the Consent Decree, Chevron would release Planck from any and all liability resulting from his use of the Chevron Trademarks as alleged in the Complaint.

3.2 Chevron would agree that all claims against Planck will be dismissed with prejudice.

4. **Binding of Successors**

4.1 This Consent Decree shall inure to the benefit of, and be binding upon, Chevron and Planck and their respective agents, employees, representatives, successors and assigns.

PLAINTIFFS
CHEVRON INTELLECTUAL
PROPERTY LLC and
CHEVRON ORONITE COMPANY LLC

DEFENDANT
GREGORY PLANCK

By: [Signature]
Title: Senior Counsel

By: [Signature]
Date: 12/03/2011

Date: 12-15-2011

ATTORNEYS FOR PLAINTIFFS

[Signature]
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Date: 12-15-2011

IT IS SO ORDERED

Date: 12-22-2011

[Signature]
Hon. Edmund A. Sargus
United States District Court Judge